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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**DECLARATION OF KIERAN P.
RINGGENBERG IN SUPPORT OF
PLAINTIFFS ORACLE USA, INC.,
ORACLE AMERICA, INC., AND
ORACLE INTERNATIONAL
CORPORATION'S MOTION FOR
PRESERVATION ORDER**

REDACTED

1 **DECLARATION OF KIERAN P. RINGGENBERG**

2 I, Kieran P. Ringgenberg, hereby declare:

3 1. I am an attorney admitted to practice *pro hac vice* before this Court in the above
4 captioned matter, and a partner at Boies, Schiller & Flexner LLP, attorneys for Plaintiffs Oracle
5 USA, Inc., Oracle America, Inc. and Oracle International Corporation (collectively, "Plaintiffs"
6 or "Oracle"). I make this declaration in support of Oracle's motion for an order requiring
7 Defendants Rimini Street, Inc. ("Rimini") and Seth Ravin ("Ravin") to preserve relevant
8 evidence and based on my review of documents and files in this matter.

9 2. Attached hereto as **Exhibit A** is a true and accurate copy of a March 29, 2010
10 press release issued by Rimini titled "Leading Support Provider Aims to End Oracle's Campaign
11 of Anticompetitive Tactics." The copy of the press release was downloaded from the internet at
12 my direction.

13 3. [REDACTED]
14 [REDACTED]
15 [REDACTED]

16 4. Attached hereto as **Exhibit C** is a true and accurate copy of an article titled *Rimini*
17 *Street Files Countersuit Against Oracle* by Chris Kanaracus published in BusinessWeek/IDG on
18 or about March 29, 2010. The copy of the article was downloaded from the internet at my
19 direction.

20 5. Attached hereto as **Exhibit D** is a true and accurate copy of a December 3, 2008
21 letter from Dan Goldfine of Snell & Wilmer, then-counsel for Rimini to Jeffrey Ross, in-house
22 counsel for Oracle.

23 6. Attached hereto as **Exhibit E** is a true and accurate copy of a December 19, 2008
24 letter from Dan Goldfine to Daniel Wall of Latham & Watkins LLP, then-counsel for Oracle.

25 7. Attached hereto as **Exhibit F** is a true and accurate copy of a December 23, 2008
26 letter from Daniel Wall to Dan Goldfine.

27 8. [REDACTED]
28 [REDACTED]

1

2 9. Attached hereto as **Exhibit H** is a true and accurate copy of an "Order re Motions
3 for Partial Summary Judgment" entered on August 17, 2010 in *Oracle USA, Inc., et al. v. SAP*
4 *AG et al*, No. 07-cv-01658 (N.D. Cal. filed March 22, 2007) ("*SAP TN*"). The copy of the Order
5 was downloaded from the Northern District's ECF website at my direction.

6 10. Attached hereto as **Exhibit I** is a true and accurate copy of Ravin and Rimini's
7 Opposition to Oracle's Motion to Compel (Docket No. 26) filed on September 14, 2009 in
8 *Oracle USA, Inc., et al. v. SAP AG et al*, No. 09-cv-01591 (D. Nev. filed Aug. 21, 2009). The
9 copy of the Opposition was downloaded from the District of Nevada's ECF website at my
10 direction.

11 11. Attached hereto as **Exhibit J** is a true and accurate copy of a January 28, 2010
12 letter from my colleague, Fred Norton of Boies, Schiller & Flexner LLP, to Jonathan Jacobson of
13 Wilson Sonsini Goodrich & Rosati, then-counsel for Rimini and Ravin.

14 12. Attached hereto as **Exhibit K** is a true and accurate copy of a February 6, 2010
15 letter from Michael Levin of Wilson Sonsini Goodrich & Rosati, then-counsel for Rimini and
16 Ravin, to Fred Norton.

17 13. Attached hereto as **Exhibit L** is a true and accurate copy of a March 16, 2010
18 letter from Fred Norton to Michael Levin.

19 14. Attached hereto as **Exhibit M** is a true and accurate copy of a March 22, 2010
20 letter from Fred Norton to Michael Levin.

21 15. Attached hereto as **Exhibit N** is a true and accurate copy of a March 17, 2010
22 letter from Michael Levin to Fred Norton.

23 16. Attached hereto as **Exhibit O** is a true and accurate copy of a March 29, 2010
24 letter from Robert Reckers of Shook, Hardy & Bacon, counsel for Rimini and Ravin, to Fred
25 Norton.

26 17. Attached hereto as **Exhibit P** is a true and accurate copy of Oracle's First Notice
27 of Deposition of Rimini pursuant to Fed. R. Civ. P. 30(b)(6) served on June 2, 2010.

28 18. Attached hereto as **Exhibit Q** is a true and accurate copy of an email from Robert

1 Reckers to me on August 13, 2010.

2 19. Attached hereto as **Exhibit R** is a true and accurate copy of an August 18, 2010
3 letter from Robert Reckers to me.

4 20. Attached hereto as **Exhibit S** is a true and accurate copy of an August 20, 2010
5 letter from Robert Reckers to me.

6 21. [REDACTED]
7 [REDACTED]
8 [REDACTED]

9 22. [REDACTED]
10 [REDACTED]

11 23. [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 24. [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 25. [REDACTED]
19 [REDACTED]

20 26. [REDACTED]
21 [REDACTED]

22 27. [REDACTED]
23 [REDACTED]

24 28. [REDACTED]
25 [REDACTED]

26 29. [REDACTED]
27 [REDACTED]

28 30. [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 31. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 32. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 33. Attached hereto as **Exhibit EE** is a true and accurate copy of an August 13, 2010,
11 letter by me to Robert Reckers.

12 34. Attached hereto as **Exhibit FF** is a true and accurate copy of an August 23, 2010,
13 email to me from Robert Reckers.

14 35. My review of records indicates that Oracle has prepared forensic images of
15 approximately 200 computer hard drives, to date, as part of its efforts to preserve potentially
16 relevant information in connection with this litigation. This is in addition to forensic images
17 prepared in connection with *SAP TN*.

18

19 I declare that the foregoing is true under penalty of perjury of the laws of the United
20 States.

21

22 Executed this 24th day of August, 2010, at Oakland, California.

23

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/s/ Kieran Ringgenberg
Kieran Ringgenberg